

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF RHODE ISLAND**

In Re:
Charles S. Phelps, Jr.

Case Number 17-10759-IDF
Chapter 13

RELIEF FROM STAY WORKSHEET - REAL ESTATE

Assistant Vice President

I Sharon Feeley (Name and Title) of PHH Mortgage Corporation as Servicer for HSBC Bank USA, National Association as trustee for PHH Alternative Trust, Series 2007-3 (Name of Organization/Corporation/Moving Party) (hereinafter, "Movant") hereby declare (or certify, verify, or state):

BACKGROUND INFORMATION

1. Real property address which is the subject of this motion:
132 Carolina Nooseneck Road, Richmond, RI 02898
2. Lender Name: HSBC Bank USA, National Association as trustee for PHH Alternative Trust, Series 2007-3
3. Date of Mortgage: April 30, 2007
4. Post-Petition payment address:
PHH Mortgage Corporation, 1 Mortgage Way, Mailstop SBRP, Mount Laurel, New Jersey 08054
5. The manner in which the Movant perfected its interest in the property:
Mortgage in Book 236, Page 762 in the Records of Land Evidence in the Town of Richmond, RI, as affected by a Corrective Assignment in Said Land Evidence Records in Book 242, Page 536 as affected by a Corrective Assignment in Said Land Evidence Records in Book 307, Page 364, and by assignment in Said Land Evidence Records in Book 277, Page 111 and as further affected by a Corrective Assignment recorded in Said Land Evidence Records in Book 301, Page 870
6. All other material liens and encumbrances on the property:

<u>Lien</u>	<u>Type</u>	<u>Amount</u>	<u>Book/Page</u>
Movant	1 st Mortgage	\$265,511.84	236/762
Portfolio Recovery	Execution	\$5,670.37	249/589

Association

DEBT/VALUE REPRESENTATIONS

7. Total pre-petition and post-petition indebtedness of Debtor(s) to Movant at the time of filing the motion: \$265,511.84.
(Note: this amount may not be relied on as a "payoff" quotation.)
8. Movant's estimated fair market value of the real property: \$273,100.00.
9. Source of estimated fair market valuation: Debtor Schedules.

STATUS OF DEBT AS OF THE PETITION DATE

10. Total pre-petition indebtedness of Debtor(s) to Movant as of petition filing date: \$255,907.94.
- (A) Amount of principal: \$233,669.98.
(B) Amount of interest: \$13,239.80.
(C) Amount of escrow (taxes and insurance): \$4,362.37.
(D) Amount of forced placed insurance expended by Movant: \$0.00.
(E) Amount of Attorney's fees billed to Debtor(s) pre-petition: See section 12, below.
(F) Amount of pre-petition late fees, if any, billed to Debtor(s): See section 12, below.
11. Contractual interest rate: 6.625% (original interest rate); 6.625% (current interest rate). (If interest rate is (or was) adjustable, please list the rate(s) and dates(s) the rate(s) was/were in effect on a separate sheet and attach the sheet as an exhibit to this form; please list the exhibit number here:).
12. Please explain any additional pre-petition fees, charges or amounts charged to Debtor(s) account and not listed above:
\$4,635.79 (Accrued/Combined Fees and Costs, See Proof of Claim No. 3-1)
(If additional space is needed, list the amounts on a separate sheet and attach the sheet as an exhibit to this form; list the exhibit number here:).

**AMOUNT OF ALLEGED POST-PETITION DEFAULT
(AS OF 05/10/2018 MM/DD/YYYY)**

13. Date last payment was received: 10/26/2017 (mm/dd/yyyy).
14. Total number of post-petition payments due from the date of the filing of petition through payment due on 04/01/2018 (mm/dd/yyyy): 11 (06/01/2017-04/01/2018).
15. Please list all post-petition payments alleged to be in default:

SCHEDULE OF PAYMENTS THAT WERE DUE:

Date Payment Due	Payment Amount due Post Petition
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10/01/2017	\$2,374.21
11/01/2017	\$2,374.21
12/01/2017	\$2,374.21
01/01/2018	\$2,374.21
02/01/2018	\$2,374.21
03/01/2018	\$2,374.21
04/01/2018	\$2,374.21
05/01/2018	\$2,374.21
Totals	\$18,993.68

SCHEDULE OF PAYMENTS THAT WERE RECEIVED

Date	Amount Received	Amount Applied to Principal and Interest	Amount Applied to Escrow	Late Fee Charged (if any)	Amount applied to legal fees or costs (specify)
06/21/2017	\$2,372.21				
07/18/2017	\$2,374.21				
08/21/2017	\$2,374.21				
09/28/2017	\$2,374.21				
10/26/2017	\$2,374.21				
Totals:	\$11,871.05				

16. Amount of Movant's Attorneys' fees billed to Debtor for the preparation, filing, and prosecution of this Motion: \$850.00.
17. Amount of Movant's filing fee for this motion: \$181.00.
18. Other Attorneys' fees charged to Debtor post-petition: \$650.00.
19. Amount of Movant's post-petition inspection fees: \$0.00.
20. Amount of Movant's post-petition appraisal/broker's price opinion: \$0.00.
21. Amount of forced placed insurance or insurance provided by the Movant post-petition: \$0.00.
22. Sum held in suspense by Movant in connection with this contract, if applicable:

\$2,372.21.

23. Amount of other post-petition advances or charges i.e. taxes, insurance incurred by Debtor, etc.: \$0.00.
24. Amount and date of post-petition payments offered by the Debtor(s) and refused by the Movant:
Movant: \$ N/A ; Date(s): N/A .
Movant: \$ N/A ; Date(s): N/A .
Movant: \$ N/A ; Date(s): N/A .

REQUIRED ATTACHMENTS TO MOTION

Please attach the following documents to this motion and indicate the exhibit number associated with the documents:

- (1) Copies of documents that indicate Movant's interest in the subject property. For purposes of example only, a complete and legible copy of the promissory note or other debt instrument together with a complete and legible copy of the mortgage and any assignments in the chain from the original mortgagee to the current moving party. (Exhibits A-C.)
- (2) Copies of documents establishing proof of standing to bring this motion if different from the above. (Exhibits A-C.)
- (3) Copies of documents establishing that Movant's interest in the real property is perfected. For the purposes of example only, a complete and legible copy of the Financing Statement (UCC-1) filed with either the Clerk's Office or the Register of the county the property is located in. (Exhibits A-C.)

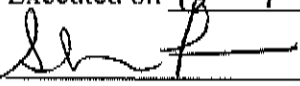
CERTIFICATION AND DECLARATION FOR BUSINESS RECORDS

I certify that the information provided in this worksheet and/or exhibits attached to this worksheet is derived from records that were made at or near the time of the occurrence of the matters set forth by, or from information transmitted by, a person with knowledge of those matters, were kept in the course of the regularly conducted activity; and were made by the regularly conducted activity as a regular practice.

I further certify that copies of any transactional documents attached to this worksheet as required by paragraphs 1, 2, and 3, immediately above, are true and accurate copies of the original documents, I further certify that the original documents are in movant's possession, except as follows: _____

I/we declare (or certify, swear, affirm, verify or state) that the foregoing is true and correct.

Executed on 6-7-18 [date]


[signature] Sharon Feeley

Assistant Vice President

[title]

Subscribed and sworn to before me this 7th day of June 2018 [date]

Justine M Stevens
Notary Public: [name] Justine M Stevens
My commission Expires: ____ [date] January 22, 2023

JUSTINE M STEVENS
NOTARY PUBLIC
STATE OF NEW JERSEY
MY COMMISSION EXPIRES JANUARY 22, 2023
No. 2106715